

Service Date: December 27, 1990

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER Of The Application	)	UTILITY DIVISION
Of TOWN OF KEVIN GAS For Authority	)	DOCKET NO. 90.12.92
To Decrease Charges For Natural	)	INTERIM ORDER NO. 5534
Gas Service.	)	
_____	)	

FINDINGS OF FACT

1. TOWN OF KEVIN GAS (Applicant) applied to this Commission for an order authorizing a decrease in the rates Applicant charges for natural gas service. The application sought authority to decrease rates in order to reflect all cost decreases resulting from The Montana Power Company's (Company) Docket No. 90.12.84.
2. On December 21, 1990, the Commission's Interim Order No. 5528 granted Montana Power Company a natural gas rate decrease.
3. Interim Order No. 5528 will decrease the cost of purchased gas to the Applicant.

CONCLUSIONS OF LAW

1. Applicant is a "public utility" within the meaning of Section 69-3-101, MCA.
2. The Montana Public Service Commission properly exercises jurisdiction over the Applicant's Montana operations pursuant to Title 69, Chapter 3, MCA.
3. Section 69-3-304, MCA, provides in part, "The Commission may, in its discretion, temporarily approve decreases or decreases pending a hearing or final decision."

4. The rate levels and spread approved herein are reasonable. The rebate provisions of Section 69-3-304, MCA protect ratepayers in the event that any revenue authorized by this order are found to be unjustified in the final order in this Docket.

ORDER

1. Applicant is hereby granted interim relief reflecting Findings of Fact in this order.
2. Such relief is to become effective for services rendered on and after January 1, 1991, and remain in effect until such time as a final decision is reached in this matter.
3. The rates shall be collected upon a constant uniform cents per Mcf basis.

DONE IN OPEN SESSION at Helena, Montana this 21st day of December, 1990 by  
a 5 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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HOWARD L. ELLIS, Chairman

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DANNY OBERG, Vice Chairman

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WALLACE W. "WALLY" MERCER, Commissioner

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JOHN B. DRISCOLL, Commissioner

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REX MANUEL, Commissioner

ATTEST:

Ann Peck  
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision.  
A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.